IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4402 OF 2004

OFFICE NOTES, OFFICE MEMORANDUM OF CORAM, APPEARANCES, COURT'S ORDERS OR DIRECTIONS AND REGISTRAR'S ORDERS	COURT'S OR JUDGES ORDERS

Shri R.G.Ketkar for the Petitioners.
Ms Rushi N.Shah i/by Pallavi Kulkarni for the Respondent No.1.

CORAM : A. S. OKA, J.

DATE : FEBRUARY 06, 2007.

P.C.:

1. Heard Shri Ketkar appearing for the Petitioner. The disqualification alleged against the first Respondent was under section 10(1D) of the Bombay Provincial Municipal Corporations Act, 1949. The Trial Court has held that there is no disqualification. Even if the present Petitioner establishes disqualification, it will be for the remaining term of the first Respondent as a councillor. It is not in dispute that term of the first Respondent will expire in this month and general ward elections have been already held of the Pune

Municipal Corporation. In view of this position, the dispute in the Petition has become purely academic. Therefore, this Petition under Article 227 of the Constitution of India is not entertained and the same is disposed of. It is made clear that no adjudication is made as regards contentions raised in the Petition.

JUDGE